


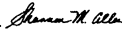
VINCENT N. SCHEIDT

Biological Consultant

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SUMMARY BIOLOGY REPORT

To: Mr. Larry Walsh, Walsh Engineering & Surveying

From: Vince Scheidt, Consulting Biologist 
Shannon Allen, Consulting Biologist 

cc: Mr. Duane Betty, Distinctive Homes

Date: Final Revision 27 February 2006

RE: Biological Resources, Project Impacts, and Mitigation - TM 5316, Montemar Estates

Per your recent request, we have completed a biology field study of the approximately 7.57-acre TM 5316 (Montemar Estates) Project Site located off Montemar Drive in the community of Spring Valley in unincorporated San Diego County, California. The purpose of this survey (conducted on various dates between 14 February and 18 March 2003) was to identify the site's flora and fauna (Table 1), the onsite habitat-types, potential project impacts (onsite and offsite), and mitigation if required. As a result of this study, we are able to summarize the following biological issues as they relate to site development as proposed.

Habitats

- Non-native Grassland (Holland Code #42200) - 7.46 acres
The vast majority of the Montemar Estates property supports Non-native Grassland (NNG) vegetation. Indicators in this broadly defined habitat include Wild Oat (*Avena fatua*), Perennial Mustard (*Brassica geniculata*), Wild Lettuce (*Lactuca serriola*), Wild Radish (*Raphanus sativus*), and other non-native annual forbs and grasses. This weedy habitat reflects the highly disturbed nature of most of the property.
- Diegan Coastal Sage Scrub (Holland Code #32500) - 0.11 acre
Diegan Coastal Sage Scrub (CSS) vegetation is represented onsite by two small, isolated patches. Indicators in this habitat include California Sagebrush (*Artemisia californica*), Flat-top Buckwheat (*Eriogonum fasciculatum*), Wishbone Bush (*Mirabilis californicus*), and other upland shrubs. The value of this habitat is low, given surrounding land uses, its isolation, and small size.
- Urban/Developed (Holland Code #12000) - offsite
Development is present on offsite properties to the north, west, and south. These areas are mostly vegetated with landscape plantings. Montemar Drive, a paved public road, forms the northern edge of the property.

Wetlands

A California Department of Fish and Game-defined wetland is located along a minor drainage that begins at the southwestern corner of the property and continues offsite to the south. This

jurisdictional drainage feature does not support any hydrophytes, but it qualifies as a "wetland" on the basis of its hydrology. The County of San Diego has recently determined that this drainage does not qualify as a Resource Protection Ordinance (RPO) wetland. In any case, the drainage clearly qualifies as "waters of the State" as defined by the State Water Resources Control Board and the California Regional Water Quality Control Board. It also qualifies as "waters of the United States" as defined by the U.S. Department of the Army and other federal agencies. The subject drainage is part of a U.S.G.S. "blue-line" stream that runs along the east slope of Dictionary Hill, draining into the Sweetwater River.

Flora and Fauna

Forty-three species of vascular plants and twenty-one species of animals were detected during the field surveys of the property. These are listed in Table 1. This list represents a characteristic flora and fauna associated with mostly disturbed habitats in this region of San Diego County. All of the species detected are common to this area.

Sensitive Species

No sensitive species were detected during the survey. However, some wide-ranging or cryptic sensitive species might be anticipated. No critical or highly sensitive populations of any species would be anticipated, however, in any case. Sensitive species known from the vicinity, along with an assessment of the probability of occurrence onsite, is presented in Table 3.

Various wide-ranging sensitive species, such as Red-shouldered Hawk, Turkey Vulture, several species of bats, etc. might be expected given the open nature of the onsite habitat, although surrounding land-uses would preclude any highly sensitive species, such as Golden Eagle or Prairie Falcon, from occurring here. No state or federally listed Rare, Threatened or Endangered species would be anticipated.

Quino Checkerspot

A directed Flight Season Survey for Quino Checkerspot Butterfly was conducted as a part of the analysis for this report. All surveys followed the current (2002) survey protocol for this species pursuant to our Federal ESA Section 10 (A) (1) (a) Recovery Permits for this species, # TE 87888133 and # TE 038065. Six species of locally-common butterflies (Table 1) were detected during the surveys. However, Quino was not detected at any time during any of the fieldwork. As a result of this survey, it appears certain at this time that Quino does not occur in association with the subject property. A copy of the 45-day Quino report as filed with the FWS is attached (Attachment B)

PROJECT IMPACTS AND MITIGATION REQUIREMENTS

The subdivision and subsequent development of the Montemar Estates property is subject to review under the California Environmental Quality Act (CEQA), the County's Resource Protection Ordinance (RPO), and the Biological Mitigation Ordinance (BMO). This means that the County requires that you identify project-related impacts to native habitat and species, and provide mitigation to keep all impacts at a level that is not "significant". Project-related impacts, as we have identified them, are presented in Table 2.

Future development of the subject site would result in a loss of 7.46 acres of NNG and 0.11 acre of low quality CSS vegetation. Offsite sewer improvements will impact an additional 0.12 acres of NNG. Impacts to these habitats are considered "significant", as defined by CEQA, and the BMO requires mitigation for significant project impacts.

At this time, in order to reduce all project impacts (see Table 2) to "less than significant", as defined by CEQA, the following mitigation measures are recommended:

1. Provide offsite mitigation at a 1-to-1 ratio for all impacts to CSS habitat, and;
2. Provide offsite mitigation at a ½-to-1 ratio for all impacts to NNG habitat.

Thus, 0.11 acre-credits of CSS and 3.79 acre-credits of NNG must be secured in a County-approved Mitigation Bank supporting such resources. The stated ratios (1-to-1 and ½-to-1) assume that the credits to be secured are obtained in a Pre-approved Mitigation Area, pursuant to the MSCP. The securement of these credits should be made a Specific Condition of Project Approval.

Because the site supports a U.S.G.S. "blue-line" stream and jurisdictional wetlands and "waters", it is recommended that you contact the (1) California Department of Fish and Game, (2) the California Regional Water Quality Control Board, and (3) the United States Army Corps of Engineers to determine if these agencies have concerns regarding potential fill or discharge into a regulated watercourse. In the absence of a dedicated open space easement, specifically precluding such actions, the future owner of proposed lot #8 could impact, either directly or indirectly, the "blue-line" stream as lot #8 is developed in the future.

Thanks for the opportunity to provide this biological study and project impact analysis. Please contact us if you have any questions.

Table 1. Flora and Fauna Detected - TPM 20341E

<u>Scientific Name</u>	<u>Common Name</u>
<u>Plants</u>	
<i>Ambrosia psilostachya</i>	Western Ragweed
<i>Anagallis arvensis</i> *	Scarlet Pimpernel
<i>Artemisia californica</i>	California Sagebrush
<i>Atriplex</i> sp *	Saltbush
<i>Avena barbata</i> *	Slender Wild Oat
<i>Baccharis sarothroides</i>	Broom Baccharis
<i>Brassica nigra</i> *	Black Mustard
<i>Brassica geniculata</i> *	Perennial Mustard
<i>Brassica rapa</i> *	Field Mustard
<i>Bromus diandrus</i> *	Ripgut Brome
<i>Bromus rubens</i> *	Foxtail Brome
<i>Calystegia macrostegia</i>	Morning Glory
<i>Capsella bursa-pastoris</i> *	Shepherd's Purse
<i>Carpobrotus edulis</i> *	Hottentot Fig
<i>Chenopodium murale</i> *	Goosefoot
<i>Chlorogalum parviflorum</i>	Soap Plant
<i>Corethrogyne filaginifolia</i> var. <i>virgata</i>	Sand Aster
<i>Eriogonum fasciculatum</i>	Flat-top Buckwheat
<i>Erodium botrys</i> *	Long-beaked Stork's-bill
<i>Erodium cicutarium</i> *	Red-stem Stork's-bill
<i>Erodium moschatum</i> *	White-stem Stork's-bill
<i>Foeniculum vulgare</i> *	Wild Anise
<i>Geranium</i> sp. *	Geranium
<i>Haplopappus venetus</i>	Isocoma
<i>Hordeum murinum</i> *	Wild Barley
<i>Lactuca serriola</i> *	Wild Lettuce
<i>Malva parviflora</i> *	Cheeseweed
<i>Marah macrocarpus</i>	Man Root
<i>Marrubium vulgare</i> *	Horehound
<i>Medicago polymorpha</i> *	Bur Clover
<i>Olea europa</i> *	European Olive
<i>Oryzopsis miliacea</i> *	Indian Rice Grass
<i>Oxalis corniculata</i>	Yellow Sorrel
<i>Panicum capillare</i>	Western Witch Grass
<i>Picris echioides</i> *	Bristly Ox-tongue
<i>Raphanus sativus</i> *	Wild Radish
<i>Salsola pestifer</i> *	Russian Thistle
<i>Sisymbrium altissimum</i> *	Tumble Mustard
<i>Sonchus oleraceus</i> *	Sow Thistle
<i>Sonchus asper</i> *	Sow Thistle
<i>Stipa pulchra</i>	Purple Stipa
<i>Tamarix</i> sp. *	Salt Cedar
<i>Washingtonia robusta</i> *	Mexican Fan Palm

Table 1. Flora and Fauna Detected - TPM 20341E

<u>Scientific Name</u>	<u>Common Name</u>
<u>Birds</u>	
<i>Carpodacus mexicanus</i>	Housefinch
<i>Corvus brachyrhynchos</i>	Common Crow
<i>Dendroica coronata</i>	Audubon's Warbler
<i>Melospiza melodia</i>	Song Sparrow
<i>Pipilo crissalis</i>	California Towhee
<i>Sayornis nigricans</i>	Black Phoebe
<i>Zenaida macroura</i>	Mourning Dove
<u>Mammals</u>	
<i>Canis latrans</i>	Coyote
<i>Spermophilus beecheyi</i>	California Ground Squirrel
<i>Sylvilagus audubonii</i>	Desert Cottontail
<i>Thomomys bottae</i>	Valley Pocket Gopher
<u>Amphibians</u>	
<i>Hyla regilla</i>	Pacific Treefrog
<u>Reptiles</u>	
<i>Crotalus viridis</i>	Western Rattlesnake
<i>Gerrhonotus multicarinatus</i>	Southern Alligator Lizard
<i>Sceloporus occidentalis</i>	Western Fence Lizard
<u>Butterflies</u>	
<i>Artogeia rapae</i> *	Cabbage White
<i>Everes amyntula</i>	Western Tailed Blue
<i>Papilio zelicaon</i>	Anise Swallowtail
<i>Pontia protodice</i>	Common White
<i>Vanessa</i> sp.	Lady
Hesperiidae	Skipper

* - non-native taxon

Table 2. Impact/Mitigation Analysis - TPM 5316

<u>Biological Resource</u>	<u>Onsite Acres (Pre-development)</u>	<u>Acres Preserved (Post-development)</u>	<u>Acres Impacted (Post-development)</u>	<u>Mitigation Required¹</u>
Non-native Grassland	7.46 acres onsite + 0.12 acres offsite	none	7.58 acres	3.79 acres (@ 1/2-to-1)
Diegan Coastal Sage Scrub	0.11 acre	none	0.11 acre	0.11 acre (@ 1-to-1)
Totals	7.57 gross acres plus 0.12 acre (offsite sewer)	none	7.69 acres includes 0.12 acre (offsite sewer)	3.90 acres

¹ - Assuming that mitigation would occur offsite in a County-approved Mitigation Bank that qualifies as a Pre-approved Mitigation Area, pursuant to the provisions of the Biological Mitigation Ordinance

Table 3. Sensitive Species Known from the Vicinity – TM 5316

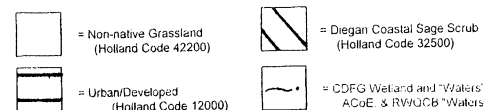
Scientific Name	Common Name	Federally Endangered	Federally Threatened	State Endangered	Coastal Sage Scrub	Mixed Chaparral	Grassland	Riparian	Oak Woodland	Chamise Chaparral	Mixed Conifer	Closed Cone Forest	Pinon-Juniper	Freshwater Marsh	Desert Scrub	Desert Wash	Salt or Alkali Marsh	Vernal Pools	Montane Meadow	Coastal or Desert Dune	Lakes and Bays	Probability of Occurrence
<i>Acanthomintha ilicifolia</i>	San Diego Thornmint		✓	✓	✓	✓				✓								✓				L
<i>Accipiter cooperii</i>	Cooper's hawk					✓	✓	✓														M
<i>Achnantherum diegoense</i>	San Diego needlegrass				✓	✓											✓					L
<i>Ambrosia pumila</i>	San Diego Ambrosia	✓			✓	✓	✓											✓				L
<i>Ammodramus savannarum</i>	Grasshopper sparrow					✓																M
<i>Anniella pulchra pulchra</i>	Silvery legless lizard				✓	✓	✓													✓		L
<i>Antrozous pallidus</i>	Pallid bat				✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓			✓			M
<i>Aquila chrysaetos</i>	Golden eagle				✓	✓	✓		✓	✓	✓	✓	✓									L
<i>Ardea herodias</i>	Great blue heron					✓								✓							✓	M
<i>Athene cunicularia hypugea</i>	Burrowing owl				✓	✓										✓				✓		L
<i>Brodiaea orcuttii</i>	Orcutt's brodiaea					✓	✓	✓	✓									✓				L
<i>Buteo regalis</i>	Ferruginous hawk (Winter)					✓									✓							L
<i>Cathartes aura</i>	Turkey vulture				✓	✓	✓	✓	✓	✓	✓	✓			✓							M
<i>Chaetodipus californicus femoralis</i>	Dulzura California pocket mouse				✓	✓	✓		✓	✓	✓											L
<i>Circus cyaneus hudsonius</i>	Northern harrier					✓								✓			✓					M
<i>Cnemidophorus hyperythrus</i>	Orange-throated whiptail				✓	✓	✓	✓		✓												M
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat					✓	✓	✓	✓	✓	✓	✓	✓		✓	✓			✓			M
<i>Danaus plexippus</i>	Monarch butterfly					✓		✓											✓			M
<i>Elanus caeruleus</i>	Black-shouldered kite					✓	✓															M
<i>Eremophila alpestris actis</i>	Horned lark					✓													✓			M
<i>Eumops perotis californicus</i>	Greater western mastiff bat				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	M
<i>Euphydryas editha quino</i>	Quino checkerspot butterfly	✓			✓	✓			✓						✓			✓				L
<i>Holocarpa virgata elongata</i>	Graceful tarplant					✓																M
<i>Lanius ludovicianus</i>	Loggerhead shrike				✓	✓	✓	✓							✓	✓						M
<i>Lepus californicus bennettii</i>	San Diego black-tailed jackrabbit				✓	✓	✓		✓	✓	✓	✓										M
<i>Muilla clevelandii</i>	San Diego goldenstar				✓	✓				✓								✓				L
<i>Myotis yumanensis</i>	Yuma myotis				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	M
<i>Nyctinomops macrotis</i>	Big free-tailed bat				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	M
<i>Nyctinomops femorosaccus</i>	Pocketed free-tailed bat				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	M
<i>Odocoileus hemionus</i>	Southern mule deer				✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓			✓			L
<i>Onychomys torridus ramona</i>	Southern grasshopper mouse				✓	✓	✓			✓												L
<i>Phrynosoma coronatum blainvillei</i>	San Diego horned lizard				✓	✓	✓	✓		✓	✓											L
<i>Scaphiopus hammondii</i>	Western spadefoot toad				✓	✓	✓	✓	✓	✓				✓				✓				M
<i>Taxidea taxus</i>	American badger				✓	✓	✓		✓	✓	✓		✓		✓	✓			✓			L

Probability of Occurrence Codes:

L - Low Probability; rare species in area, and no significant habitat (animals); or distinctive perennial that would not have been missed if present onsite (plants). M - Moderate Probability; could be expected to occur onsite on at least an occasional basis, based on habitat quality (animals); or could occur onsite, but very rare, and/or poorly known (plants). H - High Probability; nearly certain to occur onsite on a regular basis (animals), but cryptic; or ephemeral species known from the immediate vicinity, but seasonal in occurrence (plants). O - Observed; see text for detailed discussion.

VEGETATION EXHIBIT
Montemar Estates
TM 5316, WN7169, WE1991, CP 16329

LEGEND



COUNTY OF SAN DIEGO TRACT 5316 RP1

LEGAL DESCRIPTION

PARCEL 4, MAP 2431

TENTATIVE MAP NOTES

- TAX ASSESSOR'S PARCEL NUMBER: 504-242-41
- TAX RATE AREA: 83390
- ACREAGE: TOTAL GROSS= 7.57 AC
TOTAL NET= 6.51 AC
- MINIMUM LOT SIZE: 0.5 AC NET
- TOTAL NUMBER OF LOTS: 13
- GENERAL PLAN REGIONAL CATEGORY: CUD
- GENERAL PLAN LAND USE DESIGNATION: RES 3
- COMMUNITY PLAN: SPRING VALLEY
- EXISTING & PROPOSED ZONING:

USE REGULATIONS	ZONE	RR2
ANIMAL REGULATIONS	J	
DENSITY	2	
LOT SIZE	0.5 AC	
BUILDING TYPE	C	
MAXIMUM FLOOR AREA		
FLOOR AREA RATIO		
HEIGHT	G	
LOT COVERAGE		
SETBACK	G	
OPEN SPACE		
SPECIAL AREA REGULATIONS		
- DISTRICTS:
SEWER: SPRING VALLEY SANITATION DISTRICT
WATER: HELIX WATER DISTRICT
FIRE: SAN MIGUEL FIRE PROTECTION DISTRICT
SCHOOLS: LA MESA-SPRING VALLEY SCHOOL DISTRICT
GROSSMONT UNION HIGH SCHOOL
- PARK LAND DEDICATION STATEMENT: DEVELOPER PROPOSES TO PAY FEES IN LIEU OF DEDICATION.
- STREET LIGHTS WILL BE PER COUNTY STANDARDS.
- SOLAR ACCESS STATEMENT: THIS SOLAR SUBDIVISION AS REQUIRED BY SECTION 81.401 (N) OF THE SUBDIVISION ORDINANCE. ALL LOTS HAVE AT LEAST 100 SQ. FT. OF UNOBSTRUCTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF LOT.
- TOPOGRAPHIC SOURCE: AERIAL SURVEY FLOWN: NOVEMBER 2, 1992
BY: JESS L. MCMARTIN
- GRADING: SEE PRELIMINARY GRADING PLAN
- ASSOCIATED PERMITS: NONE
- PROJECT AVERAGE SLOPE: 11.3%
- PERCENT OF TOTAL SITE GRADED: 72%
- STREET NAMES SECTION APPROVAL: NONE
- SPECIAL ASSESSMENT ACT PROCEEDINGS STATEMENT: NONE

SUBMITTER

DISTINCTIVE HOMES
707 BROADWAY SUITE 1150
SAN DIEGO, CA 92101
(619) 881-0001

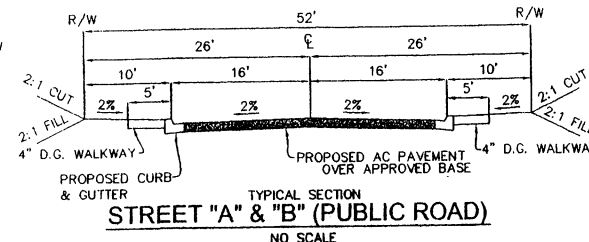
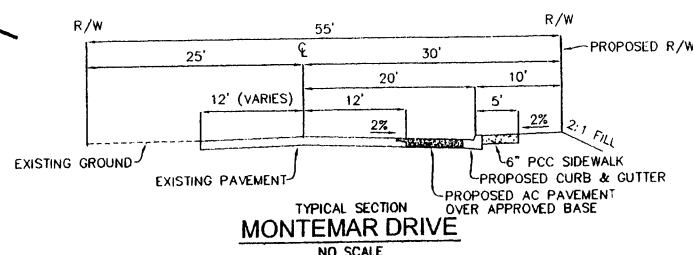
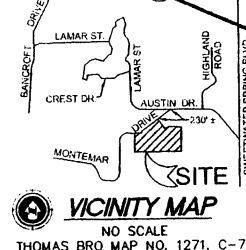
OWNERS

LEWIS A. EDWARDS JR., TRUSTEE
DECLARATION OF TRUST DATED 6-10-91
928 MAIN STREET
MARTINEZ, CA 94553
(619) 881-0001

CHIYOKO EDWARDS
928 MAIN STREET
MARTINEZ, CA 94553
(619) 881-0001

TENTATIVE MAP PREPARED BY:

LAWRENCE W. WALSH
Walsh Engineering & Surveying, Inc.
1076 Broadway, Suite B, El Cajon, CA 92021
(619) 588-6747 (619) 588-6477 Fax



TABULATED LOT AREAS

LOT NO.	GROSS=NET AREA
1	0.50 AC
2	0.50 AC
3	0.50 AC
4	0.50 AC
5	0.50 AC
6	0.50 AC
7	0.50 AC
8	0.51 AC
9	0.50 AC
10	0.50 AC
11	0.50 AC
12	0.50 AC
13	0.50 AC
TOTAL	6.51 AC

Attachment B. 45-day Quino Report as Filed with the FWS

45-Day Survey Results for the Quino Checkerspot Butterfly (*Ephedryas editha quino*)

Location:	Montemar project is an approximately 7.57-acre property located off Montemar Drive in the community of Spring Valley in unincorporated San Diego County, California.				
Habitat Description:	The vast majority of the property supports Non-native Grassland (NNG) vegetation. Indicators include Wild Oat (<i>Avena fatua</i>), Perennial Mustard (<i>Brassica geniculata</i>), Wild Lettuce (<i>Lactuca serriola</i>), Wild Radish (<i>Raphanus sativus</i>), and other non-native annual forbs and grasses. This weedy habitat reflects the highly disturbed nature of most of the property. Diegan Coastal Sage Scrub (CSS) vegetation is represented onsite by two small, isolated patches. Indicators in this habitat include California Sagebrush (<i>Artemisia californica</i>), Flat-top Buckwheat (<i>Eriogonum fasciculatum</i>), Wishbone Bush (<i>Mirabilis californicus</i>), and other upland shrubs. The value of this habitat is low, given surrounding land uses, its isolation, and small size.				
Survey Methodologies	During the survey, transects were slowly walked in all appropriate habitats. All disturbed areas as well as dirt roads were also walked. The NNG and CSS was surveyed opportunistically because most of vegetation was dense, closed canopy annual weeds.				
Name of personnel	Vince Scheidt (V.S.) & Shannon Allen (S.A.)	V.S. & S.A.	V.S. & S.A.	V.S. & S.A.	V.S. & S.A.
Acres surveyed	7 acres	7 acres	7 acres	7 acres	7 acres
Date of survey	18-Feb-03	1-Mar-03	5-Mar-03	14-Mar-03	18-Mar-03
Weather	Clear skies	Partly cloudy	Clear skies	Clear skies	Partly cloudy
Temperature (Start/Stop)	60/62	70/70	74/75	73/74	60/65
Quino Observed	none	none	none	none	none